



# Brief: Defund Abortion Providers

86th Regular Session, Policy Paper No. 2 of 40

January 26, 2018

## Key Points:

1. Catholics are called to respect life and care for the defenseless.
2. Texas law partially prohibits funding for abortion, but loopholes remain.
3. We support SB 22 / HB 1929 to end government funding for abortion.

**A Catholic perspective:** Texas Catholic Conference of Bishops supports the elimination of all funding to abortion providers. This is based on our understanding of Christian Scripture, which proclaims that each of us is loved and indispensable: “Before I formed you in the womb I knew you, and before you were born I consecrated you.”<sup>[1]</sup> We interpret Christ’s teaching to love our neighbor to mean that our neighbor is precisely the individual who is most vulnerable, marginalized, despised, forgotten, and cast aside.<sup>[2]</sup> Catholics thereby received from Christ two of our most fundamental moral imperatives: *respect life* and *care for the weak and defenseless*. The very possibility of our salvation rests upon love for God and care for our neighbor.<sup>[3]</sup>

When Catholics seriously consider this teaching and consider what abortion is, we understand the gravity of intentionally cooperating or materially supporting abortion.<sup>[4]</sup> Moreover, Scripture warns us against sharing in sin: “Do not lay hands on anyone hastily, nor share in other people’s sins; keep yourself pure.”<sup>[5]</sup> Pro-life Texans should not be forced to support the taking of innocent life, nor should any Texan be encouraged to be complicit in abortion’s legality.

**Texas Law and Policy:** Texas restricts private and public funding for abortion in three ways. First, the state restricts funding for abor-

tion through health insurance.<sup>[6]</sup> The law requires that any coverage for elective abortion be entirely separate from other health insurance plans and that the monthly premiums for abortion coverage fully cover the cost of abortion. In effect, the law prevents monthly insurance premiums paid into a private or public health insurance plan from being used to pay for elective abortions.

A second limit on abortion funding exists in state law, which prohibits the Healthy Texas Women Program from using funds to promote or perform abortions, pay contracts to entities that promote or perform abortions, and pay contracts to entities that affiliate with entities that promote or perform abortions.<sup>[7]</sup>

A third limit exists in state appropriations bills. Since 1997, legislators have prohibited family planning program funds from being used to pay Department of State Health Services (DSHS) contractors for the direct or indirect cost of abortions.<sup>[8]</sup> In 2003, legislators added to this by prohibiting any DSHS funds from being used to pay for the direct or indirect cost of abortion, and added that family planning program funds cannot be distributed to any entity that performs abortions or any entity that contracts with an abortion provider.<sup>[9]</sup> In 2005, legislators copied the prohibition on using family planning program funds and applied

---

it to Medicaid.<sup>[10]</sup> From 2007 through 2015, legislators maintained most of these prohibitions, but allowed family planning funds to be paid to entities that affiliate with abortion providers if the abortion affiliate and the abortion provider were legally and financially distinct.<sup>[11]</sup> In 2017, the exception was removed. In addition, the legislature prohibited—to full the extent allowed by federal and state law—any appropriations from being distributed to entities that perform abortions, are managed by an entity that performs abortions, or is a franchise of an entity that performs abortions.<sup>[12]</sup>

**Key bill summary: SB 22 / HB 1929** would improve state law by: first, moving the prohibition on state government funding for abortion from appropriations bills to state law. Whereas a budget bill controls only the two years that the budget is in effect, state law retains its force until it is revised or repealed.

Second, nothing in the budget bill or existing state law prohibits local governments from contracting with entities that promote or provide abortion, or entities that affiliate with entities that promote or perform abortion. As a result, abortion providers can and do operate with financial assistance from local governments. For

example, the City of Austin has leased to Planned Parenthood a city-owned 3,720 square-foot facility for \$1 annually since 1972.<sup>[13]</sup> In November 2018, the city's council voted to renew the lease for 20 years with the option of a 20-year extension at the end of the term. Based on 3<sup>rd</sup> quarter real estate data in 2018, the market rate to rent office space in East Austin was \$42.85 per square foot.<sup>[14]</sup> Therefore, the estimated local government subsidy is valued at \$160,000 per month, or \$38.3 million for the first 20-year term of the contract.

We support legislation which completely and without qualification eliminates government funding for abortion providers and affiliates.

**Call to action:** To support this proposal in the Texas legislature, please visit [txcatholic.org/life](http://txcatholic.org/life) to find and contact your lawmaker. Please also pray for Texas and for our legislators, that they may respect innocent life and care for the weak and defenseless.

*The TCCB is a federation of all Roman Catholic dioceses and ordinariates in Texas. There are 8 million Catholics living in our state. To contact us, call our office at 512-339-9882 or find TXCatholic on [Facebook](#) and [Twitter](#).*



San Angelo Bishop Michael Sis addresses Catholics about supporting pro-life legislation. (April 2017)

---

## Endnotes

1. Jer. 1:5; cf. Job 10:8-12; Ps. 22:10-11, 139:15; Jn. 10:10; Mt. 22:37-40; Deut. 6:5; Lev. 19:18; Lk. 10:25-37; Mt. 25:1-46.
2. Lk. 10:25-37.
3. Mt. 25:1-46.
4. Supreme Court of the U.S., *Gonzales v Carhart*. 550 U.S. \_\_\_\_ (2007). [Page 8](#). The Church attaches the canonical penalty of excommunication to this crime against human life. CCC #2272
5. 1 Tim. 5:22.
6. Texas Insurance Code, Chs. [1218](#), [1695](#), and [1696](#).
7. Texas Human Resources Code, § [32.024\(c-1\)](#); Texas HHS, [Healthy Texas Women](#).
8. 75 RS HB 1 (1997), page [II-38](#); 76 RS HB 1 (1999), page [II-36](#); 77 RS SB 1 (2001), page [II-35](#).
9. 78 RS HB 1 (2003), page [II-30](#).
10. 79 RS SB 1 (2005), page [II-56](#), [II-86](#).
11. 80 RS HB 1 (2007), page [II-55](#) and [II-81](#) but see [II-66](#); 81 RS SB 1 (2009), page [II-62](#) and [II-93](#) but see [II-73](#); 82 RS HB 1 (2011), page [II-61](#) and [II-92](#) but see [II-69](#); 83 RS SB 1 (2013), page [II-62](#) and [II-96](#) but see [II-70](#); 84 RS HB 1 (2015), page [II-93](#) and [II-107](#) but see [II-107](#).
12. 85 RS SB 1 (2017), page [II-72-74](#), [IX-34](#).
13. City of Austin, [Recommendation for Council Action for Nov. 1, 2018](#); City of Austin, [Agenda: Questions and Answers Report](#) (November 1, 2018). Page 3.
14. Cushman & Wakefield, [Austin Office MarketBeat Snapshot](#). (Q3 2018)